AMENDMENTS TO THE CLAIMS

Claim 1 (currently amended). A method of maintaining a controlled level of oxygen within a closed food package, said method comprising:

forming ~~at least one~~ a cup-shaped package element from a laminate of polymeric films, said laminate having selected oxygen permeability characteristics to maintain oxygen in said package at a level between the oxygen level which will prevent anaerobic microorganisms from developing and an oxygen level sufficient to permit aerobic bacteria to develop and thus indicate spoilage;

disposing a food product within said cup-shaped package element; and

~~closing~~ sealing the cup-shaped package element to the outside atmosphere with a lid element to form a closed food package; said cup-shaped package element having a ribbed surface to provide a surface area on the closed food package for sufficient diffusion of oxygen therethrough so as to maintain a selected oxygen level within the closed food package.

Claim 2 (currently amended). The method of claim 1 further comprising:

selecting said laminate ~~polymeric films~~ and providing the required surface area of the ~~container~~ closed food package to maintain a constant partial pressure of oxygen within said closed package at not less than about 1% O_2 and not more than about 2% O_2 ~~and selecting said laminated polymer films designed to maintain desirable partial pressure of oxygen within said hermetically sealed container~~; said laminate being selected by its oxygen permeability characteristics, and said surface area being provided by selecting the number and size of ribs in the ribbed surface of the cup-shaped package element to maintain said constant partial pressure of oxygen within said closed food package.

Claim 3 (original). The method of claim 1 further wherein:

said closed package has a defined head space; and

the volume of said head space is selected in combination with said permeability characteristics of said laminate to maintain at a stable selected level said partial pressure of oxygen within said package.

Claim 4 (currently amended). The method of claim 1 ~~further comprising:~~

~~providing within said container~~ wherein said cup-shaped package element includes container micropores of selected diameter sufficient to permit passage of oxygen therethrough and into said ~~container~~ closed food package; and

~~disposing~~ a polymeric label material is disposed over said container ~~micropores~~ micropores; said polymeric label material ~~having smaller~~ including label micropores therein having smaller diameter than the diameter of the container micropores to control diffusion of oxygen therethrough and to maintain partial oxygen pressure within said closed package at a selected level.

Claim 5 (original). The method of claim 4 wherein said label material comprises expanded polypropylene.

Claim 6 (original). The method of claim 4 wherein said label material comprises expanded polyethylene.

Claims 7-11 (cancelled).

Claim 12 (withdrawn). The method of selecting said laminate polymeric films and surfaces to provide O_2 partial pressure to control metabolic for fruits and vegetables.

Claim 13 (withdrawn). The method of selecting said laminate polymeric films to provide O_2 partial pressure measurable in parts per million.

Claim 14-18 (cancelled).

Claim 19 (original). The method of claim 4 wherein said container micropores are approximately 25 microns in diameter.

Claim 20 (original). The method of claim 4 wherein said smaller label micropores are approximately 5 microns in diameter.

Claim 21 (currently amended). The method of claim 1 wherein at least one of said cup-shaped package element and said lid element is formed from styrene-butadiene copolymer.

Claim 22 (currently amended). The method of claim 1 wherein at least one of said cup-shaped package element and said lid element has a gaseous diffusion rate of 400-600 cc O_2 / 24 hours / 100 in^2 / mil at ATM.

Claims 23-24 (cancelled).

Claim 25 (currently amended). The method of claim 1 wherein said closed food package comprises ~~container and package lid elements with~~ package closure means disposed between the cup-shaped package element and the lid element to provide a hermetic seal therebetween.

Claim 26 (currently amended). The method of claim 25 wherein said package

closure ~~element~~ means comprises a sealable strip.

Claim 27 (currently amended). The method of claim ~~25~~ 26 wherein said package closure means further comprises a flange supporting said sealable strip.

Claim 28 (original). The method of claim 25 wherein said package closure means comprises mating male and female members.

Claim 29 (original). The method of claim 25 wherein said package lid element comprises a dome.

Claim 30 (currently amended). The method of claim ~~25~~ 1 wherein said ~~package~~ lid element comprises a dome hermetically sealed with the cup-shaped package element.

Claim 31 (currently amended). The method of claim ~~25~~ 1 wherein said ~~container~~ cup-shaped package element ~~includes an opening thereinto and~~ is hermetically sealed with a closure membrane ~~is sealed thereupon~~.

Claim 32 (cancelled).

Claim 33 (original). The method of claim 31 further comprising controlling the gaseous diffusion rate of said closure membrane.

Claim 34 (currently amended). The method of claim 1 wherein at least one of said cup-shaped package ~~elements~~ element and said lid element has a gaseous diffusion rate of approximately 0.1 cc O_2 / 24 hours / 100 in^2 / ATM ~~@~~ at about 75°F and at a relative humidity of 65%.

Claim 35 (currently amended). The method of claim 30 wherein the cup-shaped package element and the dome define an interior space containing a gaseous mixture selected from the group consisting of: a mixture of carbon dioxide and nitrogen; a mixture of nitrogen and oxygen; and a mixture of argon, carbon dioxide and nitrogen.